IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

NOTICE OF MOTION NO. 2779 OF 2004

in

APPEAL NO. 366 OF 2002

IN

NOTICE OF MOTION NO. 107 OF 2002

IN

INSOLVENCY PETITION NO. 26 OF 1997

Shekhar Modi ... Appellant
(Orig. Applicant)

Versus

Union Bank of India & Ors. ... Respondents
(Org.Petitioning Creditors)

None for the appellant.

Mr.K.P.Jain for Official Assignee.

CORAM: D.K.DESHMUKH &
J.H.BHATIA,JJ.

DATE : 13th August, 2007.

P.C.

1. This Motion is taken out by the appellant for extension of time. Perusal of the order dated 2nd July,

2004 shows that the Court,for the reasons recorded in that order, has already declined to grant an extension of time. Obviously, therefore, the appellant was not justified in taking out this Notice of Motion.

Notice of Motion is disposed of.

2. The appellant is directed to pay Rs.5,000/- to the Official Assignee as costs of this Motion.

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(D.K.DESHMUKH,J.)

(J.H.BHATIA,J.)